

AN ACT

relating to certain contract and notice requirements applicable to certain facilities used to house inmates or releasees from the Texas Department of Criminal Justice and to the transfer of certain real property held by the department.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 493.010, Government Code, is amended to read as follows:

Sec. 493.010. CONTRACTS FOR MISCELLANEOUS HOUSING. (a) The board, for the temporary or permanent housing of inmates, may enter into leases or contract with:

(1) public or private jails; or

(2) operators of alternative housing facilities.

(b) The board may not enter into a lease or contract with an operator of an alternative housing facility that is located in a county with a population of 3.3 million or more unless the operator submits to the board a permit or other documentation showing that the facility is in compliance with all applicable municipal and county regulations.

SECTION 2. Chapter 508, Government Code, is amended by adding Subchapter E-1 to read as follows:

SUBCHAPTER E-1. ALTERNATIVE HOUSING IN CERTAIN COUNTIES

Sec. 508.171. APPLICABILITY. This subchapter applies only with respect to alternative housing that is located in a county with

1 a population of 3.3 million or more.

2 Sec. 508.172. ALTERNATIVE HOUSING PROGRAM. The department
3 shall require that an applicant to participate as a provider in a
4 program designed to provide alternative housing for two or more
5 unrelated releasees submit with the application, in the manner
6 specified by the department, a permit or other documentation
7 showing that the proposed alternative housing facility is in
8 compliance with all applicable municipal and county regulations.

9 Sec. 508.173. INFORMATION REGARDING ALTERNATIVE HOUSING;
10 NOTICE TO POLITICAL SUBDIVISION. (a) The department shall
11 maintain the following information regarding releasees:

12 (1) a list of facilities providing alternative housing
13 to two or more unrelated releasees, including:

14 (A) the name, address, and telephone number of
15 the facility;

16 (B) the county in which the facility is located;

17 (C) information regarding whether the facility
18 is in compliance with all applicable municipal and county
19 regulations;

20 (D) the number of releasees residing at the
21 facility; and

22 (E) the maximum capacity of the facility; and

23 (2) a list of releasees being housed at a facility
24 described by Subdivision (1), including:

25 (A) the releasee's name;

26 (B) the county in which the releasee is required
27 to reside under Section [508.181](#);

1 (C) the county in which the releasee committed
2 the offense for which the releasee is on parole or mandatory
3 supervision;

4 (D) the alternative housing facility in which the
5 releasee resides; and

6 (E) the date on which the releasee began residing
7 at the facility.

8 (b) On request of a county or municipality, the department
9 shall provide monthly the information maintained by the department
10 under Subsection (a). A county or municipality shall notify the
11 department if the county or municipality does not want to continue
12 to receive the information.

13 (c) The department shall provide the information to a county
14 or municipality under Subsection (b) by secured electronic mail and
15 in a machine-readable format.

16 (d) On request by a member of the legislature, the
17 department shall provide the information maintained by the
18 department under Subsection (a) to the member.

19 SECTION 3. (a) As soon as practicable after the effective
20 date of this Act, the Texas Department of Criminal Justice shall
21 transfer to the City of Burnet the real property described by
22 Subsection (e) of this section.

23 (b) The City of Burnet shall use the property transferred
24 under this section only for a purpose that benefits the public
25 interest of the state. If the City of Burnet uses the property for
26 any purpose other than a purpose that benefits the public interest
27 of the state, ownership of the property automatically reverts to

1 the Texas Department of Criminal Justice.

2 (c) The Texas Department of Criminal Justice shall transfer
3 the property by an appropriate instrument of transfer. The
4 instrument of transfer must provide that:

5 (1) the City of Burnet use the property only for a
6 purpose that benefits the public interest of the state; and

7 (2) ownership of the property will automatically
8 revert to the Texas Department of Criminal Justice if the City of
9 Burnet uses the property for any purpose other than a purpose that
10 benefits the public interest of the state.

11 (d) The Texas Department of Criminal Justice shall retain
12 custody of the instrument of transfer after the instrument of
13 transfer is filed in the real property records of Burnet County.

14 (e) The real property referred to in Subsection (a) of this
15 section is described as follows:

16 A 28.157 ACRE TRACT OUT OF THE EUGENIO PEREZ SURVEY NO. 41, ABSTRACT
17 NO. 672, BURNET COUNTY, TEXAS, OF LAND AS DESCRIBED IN THE REMAINDER
18 TRACT OF A CALLED 300.000 ACRE TRACT OF LAND AS DESCRIBED IN
19 DOCUMENT TO THE STATE OF TEXAS, RECORDED ON VOLUME 608, PAGE 19 OF
20 THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS, SAID 28.157 ACRE
21 TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS
22 DESCRIPTION AS FOLLOWS:

23 BEGINNING at a found 5/8" iron pin, at the northwesterly corner of a
24 called 20.611 acre tract of land as described in document to the
25 City of Burnet, recorded in Volume 300, Page 184 of the Deed Records
26 of Burnet County, Texas, at the southwesterly corner of the
27 variable width right-of-way of Ellen Halbert Drive, along the

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1 easterly line of the remnant of said 300.000 acre tract, and being
2 an easterly angle point hereof;
3 THENCE South 13°58'54" East, along the westerly line of said 20.611
4 acre tract, the westerly line of a called 2.259 acre tract of land
5 as described in document to the City of Burnet, Recorded in Document
6 No. 200908664 of the Official Public Records of Burnet County,
7 Texas, a distance of 1844.69' to a 1/2" iron pin set with "CUPLIN"
8 property cap, along the northerly line of a called 61.30 acre tract
9 of land as described in document to the City of Burnet, recorded in
10 Document No. 201904590 of the Official Public Records of Burnet
11 County, Texas, along the southerly line of the remnant tract of said
12 300.000 acre tract, and being the southeasterly corner hereof, from
13 whence a found 1/2" iron pin at the southeasterly corner of said
14 2.259 acre tract bears North 75°50'42" East, a distance of 255.72';
15 THENCE South 75°50'42" West, along the northerly line of said 61.30
16 acre tract, the southerly line of the remnant tract of said 300.000
17 acre tract, and hereof, a distance of 1120.41' to a 1/2" iron pin
18 set with "CUPLIN" property cap, at the southwesterly corner hereof,
19 from whence a found 3/8" iron pin with "Landtech" property cap at the
20 northwesterly corner of said 61.30 acre tract bears, South 75°50'42"
21 West, a distance of 1497.86';
22 THENCE over and across the remnant tract of said 300.000 acre tract,
23 and the westerly lines hereof the following courses and distances;
24 1) North 12°11'19" East, a distance of 850.00' to a 1/2" iron
25 pin set with "CUPLIN" property cap;
26 2) North 12°58'09" East, a distance of 525.00' to a 1/2" iron
27 pin set with "CUPLIN" property cap;

1 3) North 12°00'15" East, a distance of 415.00' to a 1/2" iron
2 pin set with "CUPLIN" property cap;
3 4) North 12°46'27" East, a distance of 155.00' to a 1/2" iron
4 pin set with "CUPLIN" property cap;
5 5) North 40°37'37" East, a distance of 92.00' to a 1/2" iron
6 pin set with "CUPLIN" property cap;
7 6) North 22°36'53" East, a distance of 110.76' to a 1/2" iron
8 pin set with "CUPLIN" property cap;
9 7) North 57°10'01" East, a distance of 69.29' to a 1/2" iron
10 pin set with "CUPLIN" property cap;
11 8) North 31°27'02" East, a distance of 55.74' to a 1/2" iron
12 pin set with "CUPLIN" property cap;
13 9) North 88°09'32" East, a distance of 10.21' to a 1/2" iron
14 pin set with "CUPLIN" property cap, along the easterly line of the
15 remnant tract of said 300.00 acre tract, the easterly line of a
16 called 70' wide access easement as described in Document
17 No. 200712014 of the Official Public Records of Burnet County,
18 Texas, along the westerly line of said Ellen Halbert Drive, and
19 being the northeasterly corner hereof, from whence a 1/2" iron pin
20 with "1877" property cap at the northeasterly corner of said 70'
21 wide access easement bears, North 14°02'32" West, a distance of
22 45.80';
23 THENCE South 14°02'32" East, along the westerly right-of-way line of
24 said Ellen Halbert Drive, the easterly line of said 70' wide access
25 easement, the easterly line of the remnant tract of said 300.000
26 acre tract, and hereof, a distance of 27.05' to a 1/2" iron pin
27 found, at the southeasterly corner of said 70' wide access

1 easement, and being an easterly angle point hereof;
2 THENCE South 13°40'34" East, along the westerly right-of-way line of
3 said Ellen Halbert Drive, the easterly line of the remnant tract of
4 said 300.000 acre tract, and hereof, a distance of 68.74' to the
5 POINT OF BEGINNING, containing 28.157 acres, more or less.

6 SECTION 4. (a) Section 493.010, Government Code, as
7 amended by this Act, applies only to a lease or contract entered
8 into on or after the effective date of this Act.

9 (b) Section 508.172, Government Code, as added by this Act,
10 applies only to an application to participate in a program
11 described by that section that is submitted on or after the
12 effective date of this Act.

13 SECTION 5. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 954 was passed by the House on April 23, 2021, by the following vote: Yeas 123, Nays 23, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 954 on May 28, 2021, by the following vote: Yeas 128, Nays 19, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 954 was passed by the Senate, with amendments, on May 24, 2021, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor